

## **8.0 Effects Found Not To Be Significant**

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## 8.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

The City of Seal Beach (City) conducted an *Initial Study* in June 2011 to determine significant effects of the proposed project. In the course of this evaluation, certain impacts of the project were found to be less than significant due to the inability of a project of this scope to create such impacts or the absence of project characteristics producing effects of this type. The effects determined not to be significant are not required to be included in primary analysis sections of the Draft EIR. In accordance with *CEQA Guidelines* Section 15128, the following section provides a brief description of potential impacts found to be less than significant. A copy of the *Initial Study* is located in Appendix 11.1, *Initial Study/Notice of Preparation and Comment Letters*.

### **AESTHETICS. *Would the project:***

- b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

**No Impact.** No designated State scenic highways are located adjacent to the site.<sup>1</sup> However, Pacific Coast Highway (PCH), located approximately 0.35-mile west of the project site, is eligible to become a State scenic highway, but has not yet been officially designated. Due to existing structures, topography, and vegetation, the project site is not located within the viewshed of PCH. Thus, the proposed project would not damage any scenic resources within the viewshed of PCH. No impacts would occur in this regard.

### **AGRICULTURE RESOURCES. *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:***

- a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

**No Impact.** The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Thus, Project implementation would not result in the conversion of farmland to non-agricultural uses. No impact would occur.

- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

**No Impact.** The existing zoning and proposed zoning does not include any agricultural-related zoning designations, nor is the site part of a Williamson Act contract. The Zone Code designation for the project site is SPR (Specific Plan Regulation) Zone and SC (Service Commercial) District.

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<sup>1</sup> State of California Department of Transportation, *California Scenic Highway Mapping System*, [http://www.dot.ca.gov/hq/LandArch/scenic\\_highways/](http://www.dot.ca.gov/hq/LandArch/scenic_highways/), accessed on April 26, 2011.

The land uses surrounding the project site are not zoned for agricultural uses or in a Williamson Act contract. Thus, no impact would occur.

- c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

**No Impact.** The project vicinity is developed with residential, recreation, and commercial uses. Forestry operations do not occur at the project site or in the project vicinity. Per Public Resources Code Section 12220(g), the property does not support any trees that can support a 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Project implementation would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production. No impact would occur in this regard.

- d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

**No Impact.** Refer to the response under Agricultural Resources (c).

- e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

**No Impact.** Refer to the responses under Agricultural Resources (a) through (c). The project site consists of vacant land and a residential structure and is surrounded by residential, recreation, and commercial uses. Implementation of the proposed project would not result in the conversion of designated farmland or forest land to non-agricultural/non-forest land use. No impacts would occur in this regard.

#### **AIR QUALITY. *Would the project:***

- e) *Create objectionable odors affecting a substantial number of people?*

**Less Than Significant Impact.** According to the SCAQMD *CEQA Air Quality Handbook*, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed project does not include any uses identified by the SCAQMD as being associated with odors.

Construction activities associated with the project may generate detectable odors from heavy-duty equipment exhaust. Construction-related odors would be intermittent, short-term in nature, and cease upon project completion. Impacts in this regard would be less than significant.

**BIOLOGICAL RESOURCES. *Would the project:***

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

**No Impact.** Although the City has a local ordinance protecting eucalyptus tree groves, no trees are present within the boundaries of the project site. The proposed project would not conflict with any other local policies protecting biological resources. Thus, no impacts would result in this regard.

- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

**No Impact.** No Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or State habitat conservation plans exist for the project area. No impact would occur in this regard.

**GEOLOGY AND SOILS. *Would the project:***

- a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*

- 1) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?*

**No Impact.** Southern California, including the project site, is subject to the effects of seismic activity due to the active faults that traverse the area. Active faults are defined as those that have experienced surface displacement within Holocene time (approximately the last 11,000 years) and/or are in a State-designated Earthquake Fault Zone (previously known as an Alquist-Priolo Special Study Zone).

According to the General Plan, the Seal Beach Fault is considered active and is included in the Earthquake Fault Zones established under the Alquist-Priolo Earthquake Fault Zoning Act. The Seal Beach Fault is a segment of the Newport-Inglewood Fault Zone, which is made up of several faults and extends southeast through the Los Angeles Basin. Regionally, the Seal Beach Fault is located within the City of Seal Beach and generally runs parallel to the coastline, extending from Long Beach through the Hellman Ranch Property and the Seal Beach Naval Weapons Station, southerly through Huntington Beach and along the coast to Newport Beach.

Based on the Figure S-5, *Fault Zone Map*, of the General Plan, the project site is located approximately one mile west of the Seal Beach Fault. According to the State of California Department of Conservation Geological Survey, the project site is not located within the Alquist-Priolo Special Studies Zone associated with the Seal Beach Fault. Thus, there is no potential for people or structures to be exposed to adverse effects as a result of a rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning.

4) *Landslides?*

**No Impact.** The project site is generally flat and surrounding properties are flat, with no unusual geographic features. Therefore, there is no potential for people or structures to be exposed to landslide conditions, and no impacts would occur in this regard.

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

**No Impact.** No septic tanks or alternative wastewater systems would be constructed as part of the proposed project. Although the project would install new sewer lines for future development on-site, no alternative waste water disposal systems are proposed. Thus, no impacts would occur in this regard.

**HAZARDS AND HAZARDOUS MATERIALS. *Would the project:***

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

**Less Than Significant Impact.** The project proposes grading activities and the installation of infrastructure in order to allow for the future development of residential and park/open space land uses, and would not involve the routine transport, use, or disposal of substantial quantities of hazardous materials. Although herbicides, pesticides, and fertilizers would be utilized on-site for landscape maintenance, they would only be utilized periodically and in small quantities. Thus, implementation of the proposed project would result in a less than significant impact in this regard. Refer to Section 5.10, *Hazards and Hazardous Materials*, for an analysis of potential transport or disposal of hazardous materials prior to construction of the proposed project.

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

**Less Than Significant Impact.** One existing school site (the Seal Beach Play Group located at 151 Marina Drive) is located approximately 0.07-mile northeast of the project site. The proposed project involves the future development of residential and passive park/open space uses and does not involve hazardous chemicals or materials. The project proposes grading activities and the installation of infrastructure in order to allow for the future development of residential and park/open space land uses, and would not involve the routine transport, use, or disposal of substantial quantities of hazardous materials. Project construction would not result in hazardous emissions. Impacts associated with the handling of hazardous materials, substances, or waste during construction would be less than significant, as the handling of these materials is not anticipated to impact this school site. No further analysis of this issue is required.

- d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

**No Impact.** Government Code Section 65962.5 requires the Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB) to compile and update a

regulatory sites listing (per the criteria of the Section). The State Department of Health Services is also required to compile and update, as appropriate, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Section 116395 of the Health and Safety Code. Section 65962.5 requires the local enforcement agency, as designated pursuant to Section 18051 of Title 14 of the California Code of Regulations, to compile, as appropriate, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste.

The DTSC's EnviroStor database is an online search and Geographic Information System (GIS) tool for identifying sites that have known contamination or sites for which there may be reasons to investigate further. It also identifies facilities that are authorized to treat, store, dispose of and/or transfer hazardous waste. The EnviroStor database includes lists of the following site types: Federal Superfund sites (National Priority List); State Response, including Military Facilities and State Superfund; Voluntary Cleanup; and School sites. EnviroStor provides site name, site type, status, address, any restricted use (recorded deed restrictions), past use(s) that caused contamination, potential contaminants of concern, potential environmental media affected, site history, and planned and completed activities. As of April 27, 2011, no listed properties are located in the boundaries of the project site per the DTSC.<sup>2</sup>

The Geographic Environmental Information Management System (GEIMS) is a data warehouse maintained by the Regional Water Quality Control Board (RWQCB) that tracks regulatory data about underground fuel tanks, fuel pipelines, and public drinking water supplies using GeoTracker. GeoTracker and GEIMS were developed pursuant to a mandate by the California State Legislature (AB 592, SB 1189) to investigate the feasibility of establishing a Statewide GIS for leaking underground fuel tank (LUFT) sites. As of April 27, 2011, no listed properties are located in the boundaries of the project site per the SWRCB.<sup>3</sup>

According to the General Plan, the City operates three domestic fresh water wells, none of which are located within the boundaries of the project site. Further, the Department of Resources Recycling and Recovery (CalRecycle) is the State's leading authority on recycling, waste reduction, and product reuse. The Solid Waste Information System (SWIS) database, maintained by CalRecycle, contains information on solid waste facilities, operations, and disposal sites throughout the State. The types of facilities found in this database include landfills, transfer stations, material recovery facilities, composting sites, transformation facilities, waste tire sites, and closed disposal sites. As of April 27, 2011, no listed properties are located in the boundaries of the project site per CalRecycle.<sup>4</sup>

Thus, the project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. No impacts would occur in this regard.

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<sup>2</sup> Department of Toxic Substances Control Board, *EnviroStor Database*, <http://www.envirostor.dtsc.ca.gov/public/>, accessed on April 27, 2011.

<sup>3</sup> State Water Resources Control Board, *GeoTracker Database*, <http://geotracker.swrcb.ca.gov/search.asp>, accessed on April 27, 2011.

<sup>4</sup> California Department of Resources Recycling and Recovery, *Solid Waste Information System (SWIS) Database*, <http://www.calrecycle.ca.gov/SWFacilities/Directory/>, accessed on April 27, 2011.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

**No Impact.** The Los Alamitos Joint Forces Training Base (JFTB) is a military installation and airfield located immediately north of the City corporate limits, and is located approximately 3.7 miles from the northernmost portion of the project site. Based on Figure S-1, *Los Alamitos Impact Zones, Joint Forces Training Base*, of the General Plan, the project site is not located within an impact zone. No impacts would occur pertaining to the creation of a safety hazard for people residing or working in the project area.

- f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

**Less Than Significant Impact.** Although no private airstrips exist within the project area, a private helicopter facility is located at the Boeing property approximately 1.6 miles northeast from the project site, near the intersection of Seal Beach Boulevard and Westminster Avenue. Helicopter operations have been conducted as part of the ongoing operations at the facility since 1991. There have been no accident or safety issues relative to the operation of this helicopter facility since initiation of operation. Because Federal Aviation Administration (FAA) regulations and procedures must be followed as a matter of course, no significant impact would occur in this regard.

- g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

**Less Than Significant Impact.** The City's *Emergency Operations Plan* (EOP) was updated in September of 2005 and details the City's specific responsibilities before, during, and after any emergency. The EOP is in compliance with the State Emergency Services Plan. Implementation of the proposed project would not require the closure of any roadways utilized for emergency purposes. The project would be required to comply with the City's Municipal Code with regard to emergency access and evacuation. The project would also be subject to all emergency access standards and requirements of the Orange County Fire Authority (OCFA). Therefore, impacts associated with emergency response and evacuation would be less than significant.

- h) *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

**No Impact.** The project site is located within an urbanized area and is void of wildlands. The proposed project would introduce landscaping, which is not anticipated to create hazardous conditions associated with brush fires. Thus, no impacts are anticipated in this regard.

## HYDROLOGY AND WATER QUALITY. *Would the Project:*

- b) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

**Less Than Significant Impact.** The proposed project would not result in any groundwater extraction or the depletion of groundwater supplies. Although improvements at the project site would result in the creation of new impervious areas, the project site does not underlie a drinking water aquifer as a result of salt water intrusion. Thus, the project would not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or lowering of the groundwater table. Impacts in this regard would be less than significant.

- g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*

**No Impact.** According to the Flood Insurance Rate Maps (FIRM) available for the project site through the Federal Emergency Management Agency (FEMA), the project site is not located within a 100-year flood hazard area.<sup>5</sup> As the project would not place housing within a 100-year flood hazard area, no impacts would occur in this regard.

- h) *Place within a 100-year flow hazard area structures which would impede or redirect flood flows.*

**No Impact.** Refer to the response under Hydrology and Water Quality (g) above.

- i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*

**Less Than Significant Impact.** The project site is not located within proximity to a dam. The San Gabriel River and associated levees are located adjacent to the project site. Potential flooding of the project site as a result of the failure of a levee is low, as the levees along the San Gabriel River have been designed to meet the 100-year flood hazard standards. Implementation of the City's EOP and the City's Municipal Code in regards to emergency access and evacuation would reduce the potential risk of loss, injury, or death involving flooding. Therefore, impacts would be less than significant.

- j) *Inundation by seiche, tsunami or mudflow?*

**Less Than Significant Impact.** A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance such as tectonic displacement of a sea floor associated with large, shallow earthquakes. Mudflows result from the downslope movement of soil and/or rock under the influence of gravity.

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<sup>5</sup> Federal Emergency Management Agency, *Flood Insurance Rate Map*, panel 226 of 539, map number 06059C0226J, map revised December 3, 2009.



The project site is located in proximity to the Pacific Ocean and San Gabriel River. According to the General Plan, seismically induced seiches are not considered a potential hazard within the City. In addition, the project site is not located down-slope from an area of potential mudflow. However, areas on the beach are considered to have a moderate tsunamic hazard if an earthquake occurred along the Newport-Inglewood Fault.

The City's EOP describes how the City would respond in the event of a tsunami. Emergencies that are preceded by a recognized buildup period allow for advance warning to those impacted areas and population groups. According to Figure S-15, *Impaired Road Access Map*, of the General Plan, the project site and vicinity are not located within an impaired road access area. During an evacuation, persons in proximity to the project site can utilize Marina Drive, 1<sup>st</sup> Street, and Ocean Avenue. Timely warning and information broadcasts are important to citizens' ability to help themselves, and for their evacuation. Emergencies generally occur without advance warning, and therefore require prompt mobilization and commitment of the emergency organization after the onset of the emergency.

During or following local emergencies, the City is the first agency involved. If the emergency is so large that the City's resources are inadequate or exhausted, assistance would be requested of, and provided by, nearby jurisdictions through mutual aid agreements. Neighborhood groups can assist the City by conducting first aid and search and rescue operations in times of large disasters. When mutual aid systems are not sufficient for the disaster task, the County requests assistance from the State. The Governor's Office of Emergency Services (OES) coordinates regional emergency response and disaster assistance. The State may also request aid from the Federal government in the form of a Presidential Disaster Declaration. FEMA then provides disaster assistance, temporary housing assistance, and recovery funds after a Presidential Disaster Declaration.

Upon implementation of the City's EOP, potential impacts associated with the inundation by a tsunami would be reduced to less than significant levels.

**LAND USE AND PLANNING. *Would the project:***

a) *Physically divide an established community?*

**No Impact.** The project proposes future residential and passive park/open space uses at the project site. The project site is surrounded by residential and recreational uses. Project implementation would not result in the division of an established community. No impact would occur in this regard.

c) *Conflict with any applicable habitat conservation plan or natural community conservation plan?*

**No Impact.** No Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or State habitat conservation plans exist within the project area. No impact would occur in this regard. Refer to the response under Biological Resources (f).

**MINERAL RESOURCES. *Would the project:***

- a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

**No Impact.** There are no economic metallic or non-metallic ore deposits within or in the vicinity of the project area. However, the active Seal Beach and Wilmington oil fields are located approximately one mile north and south of the project site, respectively. According to the State of California Division of Oil, Gas, and Geothermal Resources District 1, Map 132 (August 14, 2007), the closest existing or abandoned oil wells are located within approximately one-half mile of the Site. Based on the General Plan, the project site is not known to contain mines, mineral deposits, or other mineral resources. No impacts are anticipated in this regard.

- b) *Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

**Less Than Significant Impact.** Refer to the response under Mineral Resources (a) above.

**NOISE. *Would the project:***

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

**No Impact.** The JFTB is located approximately 3.7 miles from the northernmost portion of the project site. According to Figure N-5, *Existing CNEL Noise Contours*, of the General Plan, the project site is located outside of the 65 CNEL noise contour of the JFTB. Implementation of the proposed project would not expose new residential uses to excessive noise levels associated with the operation of a public airport or private airstrip. No impacts would result in this regard.

- f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

**No Impact.** Refer to the response under Noise (e).

**POPULATION AND HOUSING. *Would the project:***

- b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

**Less Than Significant Impact.** Construction of the proposed project would require the demolition of one residential structure (associated with this lot line adjustment). However, implementation of the proposed project would construct 48 new residential units. Thus, implementation of the proposed project would not result in the substantial displacement of existing housing. A less than significant impact would result in this regard.

- c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

***Less Than Significant Impact.*** Refer to the response under Population and Housing (b).

**TRANSPORTATION/TRAFFIC. *Would the project:***

- c) *Result in change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

***No Impact.*** The JFTB is located approximately 3.7 miles from the northernmost portion of the project site. As the Los Alamitos JFTB is a military base, the proposed project would not result in a change in air traffic patterns at this airport facility. Further, the creation of 48 additional dwelling units in the City is not anticipated to impact air traffic patterns at the Los Angeles International Airport (located approximately 20 miles north of the project site) or John Wayne Airport (located approximately 15 miles south of the project site). Impacts in this regard are less than significant.

- e) *Result in inadequate emergency access?*

***Less Than Significant Impact.*** As stated under Hazards and Hazardous Materials (g), the City's EOP was updated in September of 2005 and details the City's specific responsibilities before, during, and after any emergency. The EOP is in compliance with the State Emergency Services Plan. Implementation of the proposed project would not require the closure of any roadways utilized for emergency purposes. The project would be in full compliance with the City's Municipal Code Section 10.40.010 in regards to emergency access. Therefore, impacts associated with emergency response and evacuation would be less than significant.